

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:	Chapter 15
FAIRFIELD SENTRY LIMITED, <i>et al.</i> ,	Case No. 10-13164 (SMB)
Debtors in Foreign Proceedings.	Jointly Administered
FAIRFIELD SENTRY LIMITED (IN LIQUIDATION) and FAIRFIELD SIGMA LIMITED (IN LIQUIDATION), acting by and through the Foreign Representatives thereof, and KENNETH KRYS and CHARLOTTE CAULFIELD, solely in their capacities as Foreign Representatives and Liquidators thereof,	Adv. Pro. No. 10-03635 (SMB)
Plaintiffs,	
-against-	
ABN AMRO SCHWEIZ AG A/K/A ABN AMRO (SWITZERLAND) AG, <i>et al.</i> ,	
Defendants.	
This document is also being filed in the lead adversary proceeding, <i>Fairfield Sentry Ltd. (in Liquidation), et al. v. Theodoor GGC Amsterdam, et al.</i> , Adv. Pro. No. 10-03496.	

**DEFENDANT-APPELLEE HAPOALIM (SWITZERLAND), LTD.'S JOINDER TO DEFENDANT-APPELLEES' STATEMENT OF ADDITIONAL ISSUES TO BE PRESENTED AND DESIGNATION OF ADDITIONAL ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL**

Defendant-Appellee Hapoalim (Switzerland) Ltd.<sup>1</sup>, by and through its undersigned counsel, hereby respectfully joins in the *Defendant-Appellees' Counter-Statement of Issues to be Presented and Counter-Designation of Items to be Included in the Record On Appeal* [Dkt.

<sup>1</sup> On April 1, 2019, Defendant-Appellee changed its name from Bank Hapoalim (Switzerland), Ltd. to Hapoalim (Switzerland) Ltd.

No. 437] filed by BNP Paribas (Suisse) SA, BNP Paribas (Suisse) SA Ex Fortis, BNP Paribas (Suisse) SA Private, Caceis Bank Luxembourg, and HSBC on June 4, 2019.

**RESERVATION OF RIGHTS**

Hapoalim (Switzerland) Ltd. expressly reserves the right to supplement the record on appeal or cross-appeal and to adopt the designation of any items designated or counter-designated by any other appellant, cross-appellant, appellee, or cross-appellee to any of the appeals or cross-appeals from the Appealed Decisions and Orders.

Dated: June 4, 2019  
New York, New York

Respectfully submitted,

**Herbert Smith Freehills New York LLP**

By: s/ Scott S. Balber  
Scott S. Balber  
Jonathan Cross  
HERBERT SMITH FREEHILLS NEW  
YORK LLP  
450 Lexington Avenue, 14<sup>th</sup> Floor  
New York, NY 10017  
[scott.balber@hsf.com](mailto:scott.balber@hsf.com)  
[jonathan.cross@hsf.com](mailto:jonathan.cross@hsf.com)  
Tel: (917) 542-7600

*Attorneys for Hapoalim (Switzerland), Ltd.*